

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for April 12, 2006 PLANNING COMMISSION MEETING

P.A.S.: Co Special Permit #06020

PROPOSAL: A special permit to operate a veterinary facility.

LOCATION: N. 84th and Branched Oak Road.

WAIVER REQUEST: NA

LAND AREA: 160 acres more or less.

CONCLUSION: In conformance with the Comprehensive Plan and County Zoning.

<u>RECOMMENDATION:</u>

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: NW 1/4 of Section 35 T12, R7E of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land.

SURROUNDING LAND USE AND ZONING: Farm land zoned AG Agriculture on all side. There are acreages located about ½ mile south and ½ mile north of this site.

ASSOCIATED APPLICATIONS: None

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is outside the Lincoln Growth Tiers.

UTILITIES: Private well and waste disposal. The applicant states a test well came in with adequate water quality and quantity.

TOPOGRAPHY: Generally sloping to the south.

TRAFFIC ANALYSIS: N 84th and Raymond Roads are gravel county roads. This is two miles east and two miles north of pavement.

PUBLIC SERVICE: This is in the Waverly Rural Fire District, Waverly School District # 145 and Norris Public Power District.

REGIONAL ISSUES: NA

ENVIRONMENTAL CONCERNS: There are no identified Historic resources. There is FEMA floodplain shown across a small portion along the western side of the parcel, along the drainage way next to 84th Street. The facility will be on the top of a hill. Soil value is 4.19 where 1-4 are prime. This is not prime but very good soil.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: farming and eight to nine dwellings.

ANALYSIS:

1. This request is for a veterinary facility under the provisions of Article 4.007 (f) on a 160 acre parcel.
2. The applicant states this will be an equine centered facility, also caring for small animals. 10 or less horses are anticipated at any one time. The Veterinarian works with the Kansas State University for Veterinary student internships and proposes on-site housing for two to three interns during the 3 to 8 week breeding season.
3. Building and Safety notes there is some concern over the “basement dwelling”, which could be considered a 2-family dwelling. However, as an accessory to the veterinary facility, the housing can be tied by the special permit. All building codes would need to be met.

CONDITIONS:

1. This approval permits a veterinary facility, up to 10,000 square feet in area. The facility may include provisions for housing up to 3 Veterinary students doing internship work at this site.
2. The construction plans shall comply with the approved plans.
3. The dwelling area shall meet all building code provisions.

4. All water and wastewater shall meet the requirements of the Lincoln/Lancaster County Health Department.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:
 - 5.1 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.2 The County Clerk shall file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee shall pay the recording fee in advance.

Prepared by:

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
March 27, 2006

APPLICANT: Linda Stich
1006 County Road 1400
Dorchester, NE 68343
(402) 946-6741

OWNER: Linda Stich
1006 County Road 1400
Dorchester, NE 68343
(402) 946-6741

CONTACT: Craig Gana
2200 W. Panama Road
Martell, NE 68404
(402) 794-5000



2005 aerial

County Special Permit #06020 N 84th St & Branched Oak Rd

Zoning:

R-1 to R-4	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Intermediate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 35 T12N R07E



Zoning Jurisdiction Lines
City Limit Jurisdiction

Branched Oak Rd



Raymond Rd

Veterinary Facility
Linda Strick

Drawing A

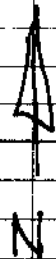
NW $\frac{1}{4}$ Section 35
T 12 N R 7 E

160 Acres

Branches Oak Rd

Drawing B
Building
Location

N 84th St



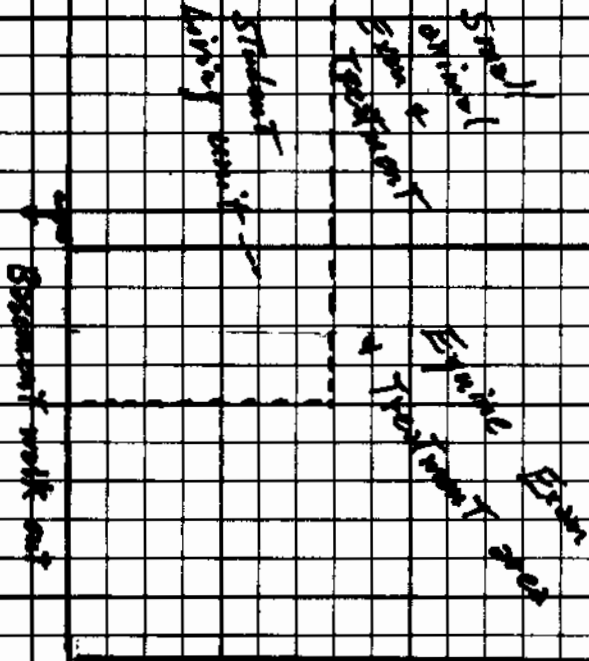
County Special Permit #06020
N 84th St & Branches Oak Rd

Veterinary Facility
Linda Stieh

Drawing B

Branched Oak Rd

100'



Equine breeding area
& exercise area

County Special Permit #06020
N 84th St & Branched Oak Rd

Hwy 100

**Lancaster County Zoning Application
Summary of Proposed Veterinary Facility**

We are proposing the construction of this Veterinary Facility on 160 acres located off of Branched Oak Road.

This facility will be a +/- 10,000 sq. ft. Engineered Cleary Building.

A Test Well has been drilled and adequate quality water is available.

The attached drawings show the approximate location on the 160 acres.

The Building will be primarily used for Equine Breeding and the associated health problems with reproduction of Equine. This means that a large part of the building will be used for exercise and examination of the movement of the Horses. It will contain some examination rooms, stalls, laboratory, office and storage. The operation will be doing natural breeding, artificial insemination and embryo transfers. The Veterinarians will also be doing associated health work with the horses and small animals.

The facility expects to house 10 or less horses for short time periods of 1 to 2 weeks. They will be housed inside with limited animals outside of the facility for any length of time. The small animal component will have the associated small animal exam rooms, surgery room, kennel room, and pharmacy.

It will contain an ADA approved bathroom, offices and conference room.

One of the Veterinarians has taught Reproduction for Kansas State University and plans to have Senior Vet Students do reproduction internship rotations at the facility. For this reason we are planning to have a basement living unit for 2 or three students at a time for 3 to 8 week rotations during the breeding season.

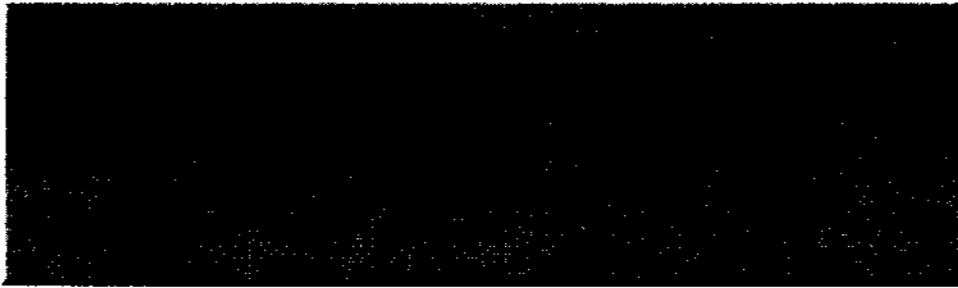
The traffic on Branched Oak Road will be pickup and horse trailer, with 6 or 10 per day.

We are applying for the County Special Permit because we feel that the business will grow and we want to make sure that the Veterinary Facility is properly designed and constructed to meet the county requirements for present and future development.

The future plan if the business is successful is to allow for one or two additional smaller buildings, outside pens and a possible house to live in.

This will be a two veterinarian facility to start with the possibility of two additional veterinarians in a couple of years.

**County Special Permit #06020
N 84th St & Branched Oak Rd**



Status of Review: Approved

Reviewed By 911

ANY

Comments:

Status of Review: FYI

03/17/2006 3:04:24 PM

Reviewed By Building & Safety

Terry Kathe

Comments: There is some debate on a dwelling unit on a site that has an existing dwelling and a commercial type use. The applicant states a basement. If the basement is in the existing dwelling then it would create a 2-family dwelling, which is not allowed by ordinance.

The creation of a separate dwelling unit on a single property creates an enforcement issue, when the current owner sells to another individual and the spare dwelling becomes a rental unit.

Would it be possible to subdivide to create a living unit on its own lot with the possibility to sell off separately if needed.

A legal interpretation may be needed.

Status of Review: Active

Reviewed By Health Department

ANY

Comments:

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

Status of Review: Active

Reviewed By Planning Department

MIKE DEKALB

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

Status of Review: Active

Reviewed By Rural Power Company

ANY

Comments:

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE:

March 29, 2006

DEPARTMENT: Planning

FROM:

Chris Schroeder

ATTENTION:

DEPARTMENT:

Health

CARBONS TO: EH File
EH Administration

SUBJECT: Veterinary Facility
SP #06020

The Lincoln-Lancaster County Health Department has reviewed the special permit application with the following noted:

- The applicant has determined that adequate water is available for the projected use based on test well results.
- The area generally consists of Judson, Sharpsburg, and Wymore soils. On-site wastewater treatment systems may be provided by a standard septic system or lagoon based on a review of soil percolation test results and the usage projected by the applicant.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

March 21, 2006

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Special Permit #SP06020, and SP06022

Dear Mike,

With regards to both of these projects, the Norris District will request no easement at this time.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Staking Engineer

